

CHAPTER NO. 132

HOUSE BILL NO. 3607

By Representatives McCord, Montgomery

Substituted for: Senate Bill No. 3504

By Senator Clabough

AN ACT to amend Chapter 84 of the Private Acts of 1945; as amended by Chapter 124 of the Private Acts of 1947, Chapter 668 of the Private Acts of 1947, Chapter 811 of the Private Acts of 1949, Chapter 612 of the Private Acts of 1951, Chapter 21 of the Private Acts of 1955, Chapter 328 of the Private Acts of 1955, Chapter 50, of the Private Acts of 1961, Chapter 150 of the Private Acts of 1977, Chapter 19 of the Private Acts of 1989, Chapter 232 of the Private Acts of 1992, and any other acts amendatory thereto, relative to the charter of the city of Gatlinburg.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Section 4 of Chapter 84 of the Private Acts of 1945; as amended by Chapter 124 of the Private Acts of 1947, Chapter 668 of the Private Acts of 1947, Chapter 811 of the Private Acts of 1949, Chapter 612 of the Private Acts of 1951, Chapter 21 of the Private Acts of 1955, Chapter 328 of the Private Acts of 1955, Chapter 50, of the Private Acts of 1961, Chapter 150 of the Private Acts of 1977, Chapter 19 of the Private Acts of 1989, Chapter 232 of the Private Acts of 1992, and any other acts amendatory thereto, is further amended by adding the following paragraph to Corporate Powers:

(35)

(A) To authorize the City to have and operate a program of inspection of overnight tourist accommodations including but not limited to chalets and cabins which are not otherwise inspected by the state of Tennessee for safety issues such as compliance with fire codes and other life safety issues. The City is authorized to impose a tourist residency fee upon the owners of such accommodations to defer the cost of the program of inspection which shall be established by ordinance.

(B) The fee imposed pursuant to subdivision (A) by the City shall be in addition to all other taxes levied or fees imposed or authorized to be levied or imposed whether in the form of excise, license, or privilege taxes.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the legislative body of the City of Gatlinburg. Its approval or nonapproval shall be proclaimed by the presiding officer of municipal legislative body of the City of Gatlinburg and certified to the secretary of state.

SECTION 4. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 3.

PASSED: May 21, 2004



**JIMMY RAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES**



**JOHN S. WILDER
SPEAKER OF THE SENATE**

APPROVED this 7th day of June 2004



PHIL BREDESEN, GOVERNOR